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EXECUTIVE SUMMARY

San Joaquin River Shallow Water Habitat Project

Applicant
Reclamation District No. 2026

Project Description & Primary Biological/Ecological Objectives:

Reclamation District No. 2026, Webb Tract, proposes to restore deep water dredger cuts located adjacent to its levee to pre-historic levels approaching sea level. The purpose of the project is to convert existing low value aquatic habitat to higher value shallow water aquatic habitat. In addition to creating greater habitat values, the project would also stabilize the levee system by supporting the waterside toe of the levee.

The proposed project would use available borrow material (consisting of silty sand) located within the boundaries of Webb Tract to fill the existing dredger cut to a shallower depth. The material would be transported by land based vehicle to the project site consisting of a 2,000-foot stretch along the northeast corner of Webb Tract adjacent to the San Joaquin River. This material would then be placed in the water to fill the existing dredger cut, which now exists 20 to 30 feet below mean sea level, up to an elevation near mean sea level.

The proposed project will address two of the major ecosystem stressor categories: 1) flood plain and marsh plain changes, and 2) channel form changes. The hydrological and physical isolation of the historical floodplain will be reversed, and fine sediments that provide a substrate for vegetation growth will be replenished. Historical channel form will be restored, and shallow sidechannel areas that were eliminated by the clamshell dredging will be re-created to provide aquatic habitat and facilitate reestablishment of riparian vegetation.

The project will provide numerous ecosystem benefits to the priority habitats and species cited in the RFP, in addition to furthering CALFED's non-ecosystem objective of enhancing levee system reliability. Priority habitats that will be created as part of the project include: 1) shaded riverine aquatic habitat (SRA), 2) tidal perennial freshwater aquatic habitat and 3) midchannel islands and shoal habitat. The existing deep dredger cut will be replaced by shallow water habitat that provides more suitable conditions for rearing of many of the priority species, the margins of the area will become more suitable for establishment of SRA, and midchannel islands can be created in the fill area to provide additional benefits for wildlife and plant species. The approximately 10 acres of shallow water habitat that will be re-created represent an important habitat type that has declined in the Delta area due to water management and agricultural activities.

Approach/Tasks/Schedule:

The phasing will consist of Planning and Design, Environmental and Regulatory, and Construction. The tasks for each Phase and schedule are presented below:

Phase I	- Compilation of data and feasibility	Sept. 1997 to Dec. 1997
	- Engineering, surveys and design	Jan. 1998 through April 1998
Phase II	- Biological evaluation and environmental documentation	Jan. 1998 through May 1998
	- Regulatory permits and consultation	Jan. 1998 through June 1998
Phase III	- Development of contract plans and specifications	Apr. 1998 through May 1998
	- Construction	Aug. 1998 through Oct. 1998
	- Post-project monitoring	Oct. 1998 through Oct. 2001

Justification:

The project, as designed, will reverse many of the adverse effects of the historical dredging activities. It is technically feasible and will have several significant features to enhance the environmental values and increase the levee stability in the vicinity of the project. The environmental enhancement would include creation of new shallow water habitat and diversified habitats as the shallow water transitions to an oversized, flatter levee slope. The fill material would buttress the steep waterside slope of the levee, thus increasing its stability. The shallow water depth would reduce wave action caused primarily by wind and boats. Use of the existing dredger cut is an alternative for creating shallow water habitat that meets multiple objectives of the CALFED program (i.e., ecosystem restoration and increased system reliability) while avoiding the need for purchase of new land and/or disruption of existing land uses.

Budget Costs:

The estimated budget costs for each phase are as follows:

Phase I	(feasibility, planning and design)	—	$ 65,000
Phase II	(environmental and regulatory)	—	$ 53,000
Phase III	(construction)	—	$ 3,130,000
	TOTAL PROJECT COST	—	$ 3,248,000

Third Party Impacts:

It is not anticipated that there will be any third party impacts. It is anticipated the current low value deep water habitat will be greatly enhanced when converted to shallow water habitat. The feasibility phase of the project will identify concerns regarding loading of the levee and recommend conditions so as not to damage the levee foundation. It is anticipated that the filling of this narrow dredger cut will not impact the flood carrying capacity of the area since the channel is extremely wide in this area and much of the hydraulics are controlled by the tidal currents.

Applicant Qualifications:

Reclamation District No. 2026 (District) is the public agency responsible for maintenance and rehabilitation of the levees within its jurisdiction. The District has been a participant in the Subventions Program (SB 34) and as such is well acquainted with the CEQA processes, bidding laws, contracting for levee work, and in general flooding issues in the North Delta. In the last 10 years the district has completed over 5.5 million dollars in levee maintenance and rehabilitation. Murray, Burns and Kienlen (MBK) has been the District Engineer since 1989 and has guided the District's Board of Trustees in the above activities.

Monitoring & Data Evaluation:

The project will be monitored for success of both physical and biological improvements to the ecosystem. Physical changes will be documented by completing an as-built survey of the new channel and levee, and evaluating how well the final configuration performs as designed. Biological monitoring will include documentation of botanical, wildlife, and fisheries resources before and after project construction.

Local Support/Coordination With Other Programs/Compatibility with CALFED

The design of the projects will incorporate advice from key State and federal resource management agencies. The project design will minimize adverse impacts to the land and water habitats, and respect key habitats of rare and endangered species in the Delta area. In addition, the project will need permits or approvals from the Corps of Engineers, the Department of Fish and Game, and the Central Valley Regional Water Quality Control Board. The offshore channel island is owned by the Department of Fish and Game so some sort of agreement will be in order. It is anticipated that funding may also be obtained from the Department of Water Resources Delta Levee Subventions Program and the Delta Levee Special Projects Program.

San Joaquin River Shallow Water Habitat Project

Applicant

Reclamation District No. 2026
Webb Tract
3697 Mt. Diablo Boulevard, Suite 100
Lafayette, California 94549
Phone: (510) 283-4216 • FAX: (510) 283-4028

Applicant Type: Public Agency
ID #94-2763513

Technical and Financial Contact

Gilbert Cosio, Jr.
Murray, Burns and Kienlen
1616 - 29th Street, Suite 300
Sacramento, California 95816
Phone: (916) 456-4400 • FAX: (916) 456-0253

Participants/Collaborators in implementation

California Department of Water Resources
Reclamation District No. 2026

RFP Project Group Types

• **Construction Project** •

I. PROJECT DESCRIPTION

Reclamation District No. 2026, Webb Tract, proposes to restore deep water dredger cuts located adjacent to its levee to pre-historic levels approaching sea level. The purpose of the project is to convert existing low value aquatic habitat to higher value shallow water aquatic habitat. In addition to creating greater habitat values, the project would also stabilize the levee system by supporting the waterside toe of the levee.

The proposed project would use available borrow material (consisting of silty sand) located within the boundaries of Webb Tract (Figure 1) to fill the existing dredger cut to a shallower depth. The material would be transported by land based vehicle to the project site consisting of a 2,000-foot stretch along the northeast corner of Webb Tract adjacent to the San Joaquin River (Figure 2). This material would then be placed in the water to fill the existing dredger cut, which now exists 20 to 30 feet below mean sea level, up to an elevation near mean sea level (Figure 3).

To contain the material within the project boundaries, a rock dike would be placed at the eastern and western ends of the site prior to placement of fill material (Figure 4). It is estimated that fill material required to complete the project will be 500,000 cubic yards. Additionally, it is estimated that the containment dikes to contain the fill material will require approximately 20,000 tons of stone fill. The resulting project will consist of approximately 10 acres of re-created shallow water habitat.

PROJECT LOCATION

The project is located at the northeast corner of Webb Tract, Contra Costa County. The project is along the left bank San Joaquin River at the confluence with the Mokelumne River (Figures 1 and 2).

EXPECTED BENEFITS

The proposed project will address two of the major ecosystem stressor categories: 1) flood plain and marsh plain changes, and 2) channel form changes. The hydrological and physical isolation of the historical flood plain will be reversed, and fine sediments that provide a substrate for vegetation growth will be replenished. Historical channel form will be restored, and shallow sidechannel areas that were eliminated by the clamshell dredging will be re-created to provide aquatic habitat and facilitate reestablishment of riparian vegetation.

The project will provide numerous ecosystem benefits to the priority habitats and species cited in the RFP, in addition to furthering CALFED's non-ecosystem objective of enhancing levee system reliability. Priority habitats that will be created as part of the project include: 1) shaded riverine aquatic habitat (SRA), 2) tidal perennial freshwater aquatic habitat and

3) midchannel islands and shoal habitat. The existing deep dredger cut will be replaced by shallow water habitat that provides more suitable conditions for rearing of many of the priority species, the margins of the area will become more suitable for establishment of SRA, and midchannel islands can be created in the fill area to provide additional benefits for wildlife and plant species. The approximately 10 acres of shallow water habitat that will be re-created represent an important habitat type that has declined in the Delta area due to water management, agricultural activities, and hydrologic and erosive forces.

Priority fish species that will benefit from the project include nearly all the species identified in the RFP, with the possible exception of green sturgeon and striped bass. Delta and longfin smelt are both expected to benefit from the increase in shallow water rearing and spawning habitat, and Sacramento splittail would benefit from the increase in inundated vegetation that it uses for spawning. The shallow, protected areas re-created by the project would provide important rearing habitat for all of the priority salmonid species (winter-run, spring-run, late fall-run, San Joaquin fall-run, and steelhead), and provide more suitable habitat for migratory birds as well.

BACKGROUND AND TECHNICAL/BIOLOGICAL JUSTIFICATION

Reclamation of central Delta islands was completed early in this century following the development of the clamshell dredge. Levee systems developed to reclaim the islands were built by a clamshell dredge cutting interior of the natural waterside bank of the island. Typically, the dredgers would cut their way interior of the island 100 to 200 feet from the natural shoreline. The dredge would then continue cutting a path following the circumference of the island. As it cut a path, the dredge would side cast excavated material landward to form the levee which would later be used to hold back the rising tides and allow reclamation of the island interior. As the dredge would work its way around the island, in its wake would be left a mound of dredge material (levee), a new channel (dredger cut) and a thin band of vegetated land mass now cut off from the island and situated waterward of the recently constructed levee.

Typical levee maintenance consisted of periodically running a dredge through the dredger cut and excavating additional material to raise, widen or repair the levee. This material came from either cutting deeper into the dredger cut, cleaning sediment which had deposited in the dredger cut, or borrowing material from the remnant island land mass existing off-shore from the levee. This practice, along with localized hydraulic forces, created today's dredger cuts which range from 20 to 50 feet deep throughout much of the Sacramento-San Joaquin Delta.

The project, as designed, will reverse many of the adverse effects of the historical dredging activities. It is technically feasible and will have several significant features to enhance the environmental values and increase the levee stability in the vicinity of the project.

The environmental enhancement would include creation of new shallow water habitat and diversified habitats as the shallow water transitions to an oversized, flatter levee slope. The fill material would buttress the steep waterside slope of the levee, thus increasing its stability. The shallow water depth would reduce wave action caused primarily by wind and boats.

The proposed project meets an important need for re-creation of historical habitat conditions that address the ecological and biological needs of many of the priority species. Use of the existing dredger cut is an alternative for creating shallow water habitat that meets multiple objectives of the CALFED program (i.e., ecosystem restoration and increased levee reliability) while avoiding the need for purchase of new land and/or disruption of existing land uses.

SCOPE OF WORK

To complete this project, the following tasks have been identified.

1. Feasibility
   - A. Engineering, surveys, mapping and geotechnical exploration
     - Underwater and topographical mapping
     - Geotechnical exploration and foundation design
     - Preliminary engineering
   - B. Biological surveys of pre-project conditions
     - Riparian habitat mapping
     - Wildlife surveys
     - Fisheries habitat inventory
   - C. Feasibility report
     - Incorporate preliminary engineering, geotechnical and biological data for feasibility report.
2. Environmental and Regulatory
   - A. Engineering and biological design
     - Identify species and sources for vegetation planting
     - Design fish and wildlife habitat enhancements
   - B. Regulatory permitting and CEQA/NEPA documentation
     - U. S. Army Corps of Engineers 404 permit
     - Department of Fish & Game 1601 Agreement

- CEQA Document
- Alternatives and Public review comment

3. Construction

   A. Final engineering design and compilation of contract plans and specifications

   B. Construction

   C. Vegetation planting

   D. Post-project technical and biological monitoring (3 years — evaluate and report on performance of project and creation of habitat values)
      - Riparian marsh habitat mapping
      - Wildlife surveys
      - Fish habitat mapping and species surveys
      - Surveys and mapping

MONITORING

Project monitoring will include the following tasks:

1. **Hydraulic monitoring** — It is proposed that the completed project will be monitored to evaluate whether hydraulic forces are damaging the project adjacent levee or its habitat.

2. **Biological monitoring** — The project will be evaluated annually to document the success of the project to enhance wildlife habitat values.

   Biological monitoring will include documentation of botanical, wildlife, and fisheries resources before and after project construction. Botanical resources will be mapped in a GIS prior to construction to document acreages of different vegetation types and species along the existing levee and remnant island. Annual post-construction surveys will update the GIS with changes in species composition and distribution. The areas of different dominant vegetation types will be quantified, and species lists updated following each survey. Areas for each vegetation type will be measured by reference to survey monuments along the levee.

Wildlife resources will be documented along the existing levee and remnant island during spring, summer, and fall surveys prior to construction. Survey stations will be established along the length of the levee, and timed periods of wildlife observation made from each location. Post-construction monitoring will involve revisiting the initial stations, in addition to establishment of new stations in the fill area as appropriate. Surveys will continue to be made each spring, summer and fall for three years after construction.

Fisheries resources will be evaluated by assessing habitat changes, species composition, and relative abundance. Habitat changes will be quantified by calculating the wetted area, depth distributions, and habitat types under the existing and post-construction conditions. Pre-project fish species composition and relative abundance in the vicinity of the project will be evaluated from literature review and field data from prior surveys in nearby areas. Post-construction use of the project site will be evaluated at sampling stations established throughout the fill area by a combination of beach seining (where feasible) and boat (and/or backpack) electrofishing. These stations will be monitored during the spring and summer for three years. Changes in relative abundance and species composition compared to pre-project data will be noted, and any trends in fish use of the newly re-created shallow water area documented.

IMPLEMENTABILITY

Approvals for the project will be required from the U. S. Army Corps of Engineers for an individual permit and the California Department of Fish & Game (DFG) for a streambed alteration agreement. The Corps permit will also require review for water quality certification requirements by the Regional Water Quality Control Board. The remnant island waterward of the levee which will act as the waterward containment for the fill material is owned by the Department of Fish & Game. Therefore, an agreement between Reclamation District No. 2026 and DFG will be required. Regulatory requirements that would preclude implementation of the project are not anticipated at this time. Local support for the project is evidenced by the participation of RD No. 2026.

II. COST AND SCHEDULE

Table 1 shows the estimated costs of the tasks described in the Scope of Work section. Funding for this project and subsequent monitoring are requested from CALFED Category III for 100 percent of the total cost. It is anticipated that funding may also be obtained from the Department of Water Resources Delta Levee Special Projects Program.

Table 1

Task I — Feasibility							
Project Task	Direct Labor Hours	Direct Salary & Benefits	Over-head Labor	Service Contracts	Material & Acquisi-tion Contracts	Miscella-neous & other District Costs	Total Cost
A • Underwater & topographical mapping	—	—	—	10,000	—	—	10,000
• Geotechnical exploration and foundation design	—	—	—	20,000	—	—	$ 20,000
• Preliminary engineering	—	—	—	10,000	—	—	10,000
B • Riparian habitat mapping	—	—	—	5,000	—	—	5,000
• Wildlife surveys	—	—	—	5,000	—	—	5,000
• Fisheries habitat inventory	—	—	—	5,000	—	—	5,000
C • Feasibility Report	—	—	—	10,000	—	—	10,000
						Total Task 1	$ 65,000

Task 2 — Environmental and Regulatory							
Project Task	Direct Labor Hours	Direct Salary & Benefits	Over-head Labor	Service Contracts	Material & Acquisi-tion Contracts	Miscella-neous & other District Costs	Total Cost
A • Identify species & sources for planting	—	—	—	3,000	—	—	$ 3,000
• Design fish and wildlife habitat	—	—	—	3,000	—	—	3,000
B • U.S. Army Corps permits	—	—	—	2,500	—	—	2,500
• Dept. of Fish & Game Agreement	—	—	—	2,500	—	—	2,500
• CEQA Document	—	—	—	35,000	—	—	35,000
• Public review & comments	—	—	—	7,000	—	—	7,000
						Total Task 2	$ 53,000

Task 3 — Construction							
Project Task	Direct Labor Hours	Direct Salary & Benefits	Over-head Labor	Service Contracts	Material & Acquisi-tion Contracts	Miscella-neous & other District Costs	Total Cost
A • Final engineering design & specs	—	—	—	15,000	—	—	$ 15,000
• Construction	—	—	—	3,000,000	—	—	3,000,000
• Construction inspection	—	—	—	50,000	—	—	50,000
• Vegetation planting	—	—	—	10,000	—	—	10,000
• Technical biological monitoring	—	—	—	55,000	—	—	55,000
						Total Task 3	$3,130,000

Barring delays in the regulatory process, the District hopes to begin construction in August 1998 by adopting the following schedule:

Compilation of data and feasibility	—	Oct. 1997 to Dec. 1997
Engineering and design	—	Jan. 1998 through Apr. 1998
Biological evaluation and environmental documentation	—	Jan. 1998 through May 1998
Regulatory permits and consultation	—	Jan. 1998 through July 1998
Development of contract plans and specifications	—	Apr. 1998 through May 1998
Construction	—	Aug. 1998 through Dec. 1998
Post-project monitoring	—	Oct. 1998 through Oct. 2001

Due to possibly geotechnical concerns, construction may have to be spread out over several places to allow adequate time for the foundation to consolidate without damaging the levee.

THIRD PARTY IMPACTS

It is not anticipated that there will be any third party impacts. It is anticipated the current low value deep water habitat will be greatly enhanced when converted to shallow water habitat. The feasibility phase of the project will identify concerns regarding loading of the levee and recommend conditions so as not to damage the levee foundation. It is anticipated that the filling of this narrow dredger cut will not impact the flood carrying capacity of the area since the channel is extremely wide in this area and much of the hydraulics are controlled by the tidal currents.

III. APPLICANT QUALIFICATIONS

Reclamation District No. 2026 is the public agency maintaining the levees around Webb Tract. Since 1987 when the island changed ownership, the Reclamation District has performed over 5.5 million dollars in levee improvements. Much of this work was performed using District forces in order to keep costs down.

Murray, Burns and Kienlen, Consulting Civil Engineers, have been District engineering consultants since 1989 and have designed and supervised over 5 million dollars of RD 2026 levee work. MBK also performs the duties of District Engineer for 20 other reclamation districts located primarily in the northern and central Delta.

Consistent with Government Code 4525, Murray, Burns and Kienlen was selected by RD 2026 to provide planning, permitting and engineering services in connection with project planning and construction. The selection was made on the basis of qualifications and demonstrated competence for the requested services, including documentation of fair and reasonable prices.

Hultgren-Tillis Geotechnical Engineers have been the District's geotechnical consultant since 1987. In that capacity, they have conducted explorations and recommended levee improvements around the entire circumference of Webb Tract. They have also recommended procedures for fill placement on and around the levee so as not to damage or to limit damage to the levee's foundation. They also perform the service of monitoring levee movement following construction activities. Hultgren-Tillis has performed geotechnical evaluation on many Delta islands, including Bouldin, King, Bacon and Bethel Islands and also Holland Tract.

EA Engineering, Science, and Technology, Inc., is a multidisciplinary environmental consulting firm with a staff of Northern California scientists who specialize in environmental analyses related to water resources. EA's staff have been conducting aquatic studies in the Delta and its tributary watersheds for over 20 years, and have conducted feasibility studies and assessments of many habitat restoration projects.

Consistent with Government Code 4525, EA Engineering, Science, and Technology, Inc., and Hultgren-Tillis Geotechnical Engineers were selected by Murray, Burns and Kienlen to provide environmental services and geotechnical services in connection with project development. The selection was made on the basis of qualifications and demonstrated competence for the requested services, including documentation of fair and reasonable prices.

Pursuant to California Government Code §1090, EA Engineering, Science, and Technology, Inc., is disclosing a remote interest in proposals submitted for funding under CALFED's 1997 Category III program. EA staff, as third tier subcontractors to the Bureau of Reclamation, have provided technical and administrative support to CALFED agency staff in the Restoration Coordination Program. In this capacity, EA staff have assisted with documentation of public meetings of the Ecosystem Roundtable, and compiled technical team meeting information for distribution to Roundtable members and the public. EA's legal counsel has determined that EA's participation as a subconsultant in contracts that may be awarded under the Category III program does not constitute a violation of California Government Code §1090.

The following paragraphs describe the roles, responsibilities, and experience of key staff who will conduct the proposed project.

Mr. Gilbert Cosio, principal of Murray, Burns and Kienlen, will be responsible for engineering and management of the project. Mr. Cosio would be responsible to coordinate all activities in regard to engineering and environmental services performed for Reclamation District No. 2026. Mr. Cosio has 17 years of experience in flood control, hydrology, hydraulics, water resource planning, drainage water supply, surveying and levee maintenance. Mr. Cosio is currently Principal in charge of all Delta levee reclamation district work for MBK. Mr. Cosio coordinates levee inspections, levee maintenance and rehabilitation projects, competitive bid plans and specification preparation and contract administration for Delta reclamation districts. He also oversees maintenance planning, funding application and claims, regulatory coordination, environmental assessments, CEQA documentation and reports and presentations to respective reclamation district boards of trustees. Mr. Cosio's Delta work has also led to testimony at public hearings, Reclamation Board hearings and workshops, and State Water Resources Control Board hearings. Mr. Cosio has coordinated levee work and claims with County, State and Federal agencies in charge of disaster assistance. Mr. Cosio was a member of the Delta Coalition, which was a committee involved with developing delta levee maintenance legislation. Mr. Cosio is also a member of the Habitat Advisory Committee set up to administer the mitigation element of the Delta Levee Subventions Program and a member of the Habitat Advisory Committee subcommittee regarding regulatory permit streamlining for levee maintenance projects.

Mr. Scott Wilcox is a senior fisheries biologist whose role will involve technical oversight and management of tasks related to biological monitoring and environmental compliance. His areas of technical expertise include aquatic resource impact assessment, habitat quantification and evaluation, and fisheries analyses in riverine and estuarine systems. His 17 years of experience includes aquatic investigations for approximately 30 projects within

or tributary to the Central Valley and the Delta. Many of these projects involved planning of aquatic habitat restoration actions, monitoring of fish abundance and species composition, and characterization of habitat conditions. Relevant project experience includes assessment of potential impacts of road and bridge construction on Sacramento splittail; design, monitoring, and CEQA compliance for levee habitat improvement projects; and TES species surveys and Section 7 consultation for delta smelt. Professional references for similar projects include Frank Wernette (209-948-7800) and Peter Perrine (916-358-2926) of the Department of Fish and Game.

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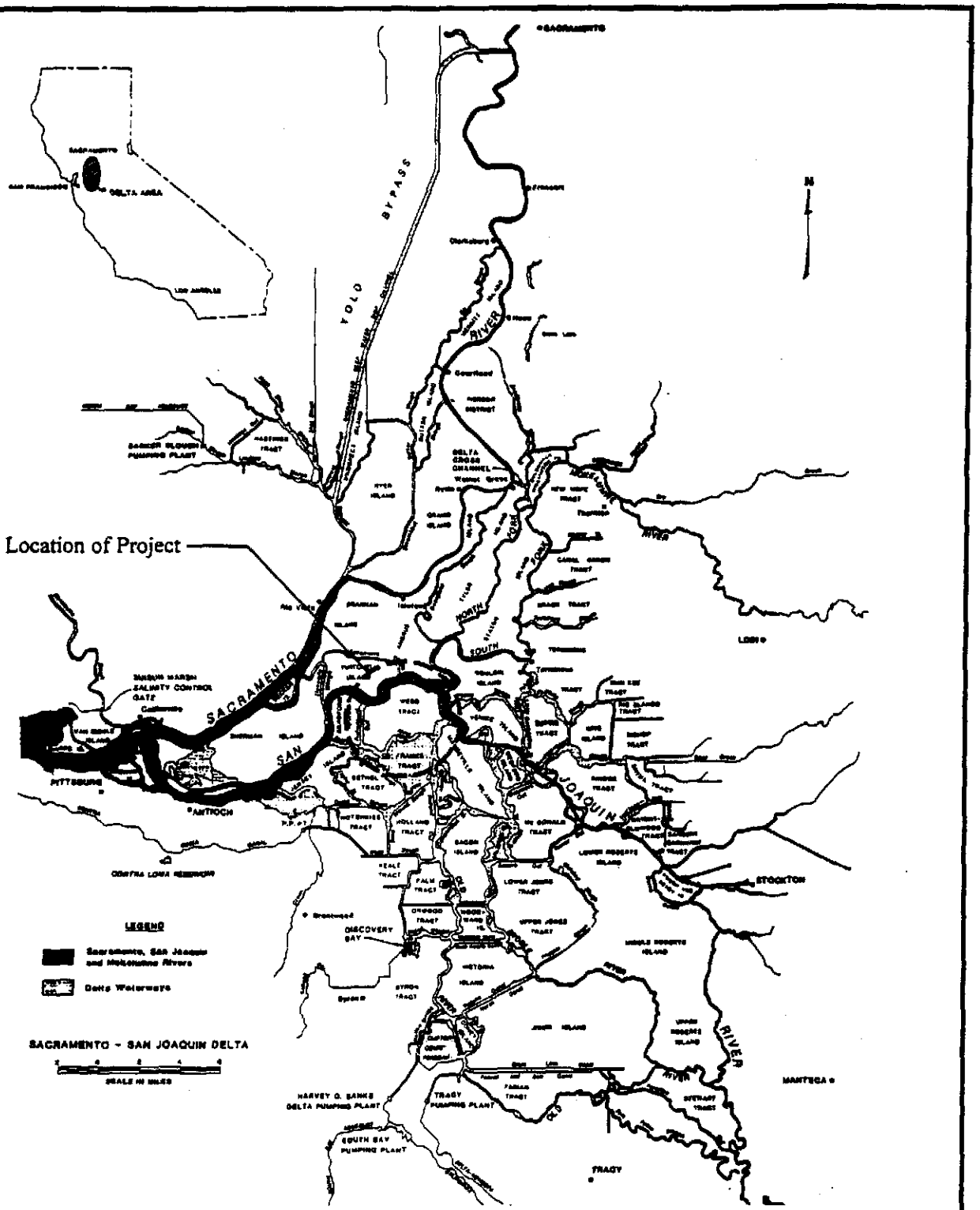
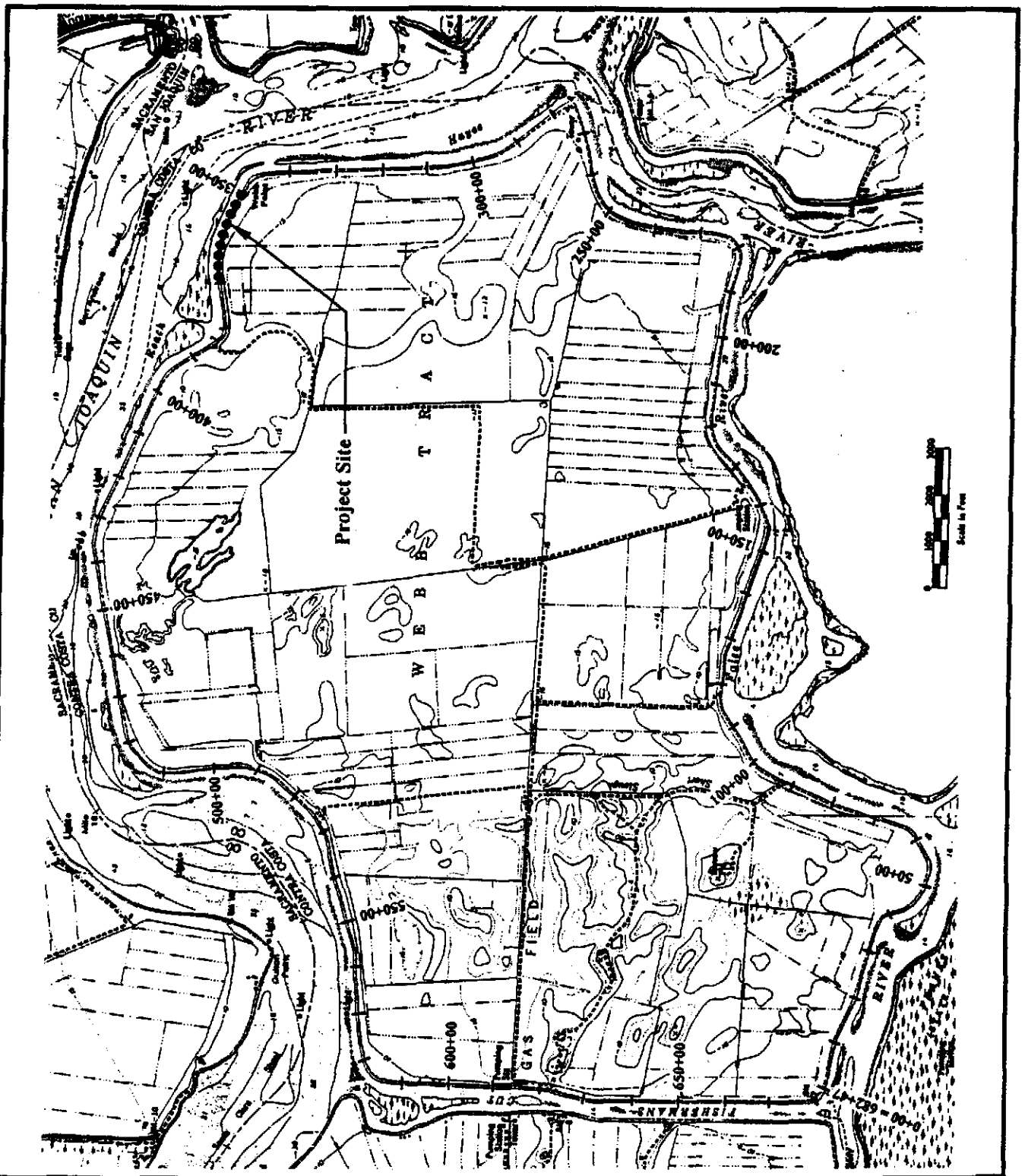


Location Map **Webb Tract** San Joaquin River	APPLICANT: **Reclamation District No. 2026** **Webb Tract** **3697 Mt. Diablo Boulevard, Ste. 100** **Lafayette, California 94549**	**San Joaquin River Shallow Water Habitat Project** DATUM: NGVD COUNTY: Contra Costa
MURRAY BURNS AND KIENLEN - Consulting Civil Engineers 1616 29th Street Ste 300, Sacramento CA 95816 - (916) 456-4400	Date: July 1997	Figure 1



Site Plan

Webb Tract

San Joaquin River

MURRAY BURNS AND KIENLEN - Consulting Civil Engineers
1616 29th Street Ste 300, Sacramento CA 95816 - (916) 456-4400

APPLICANT:

Reclamation District No. 2026
Webb Tract
3697 Mt. Diablo Boulevard, Ste. 100
Lafayette, California 94549

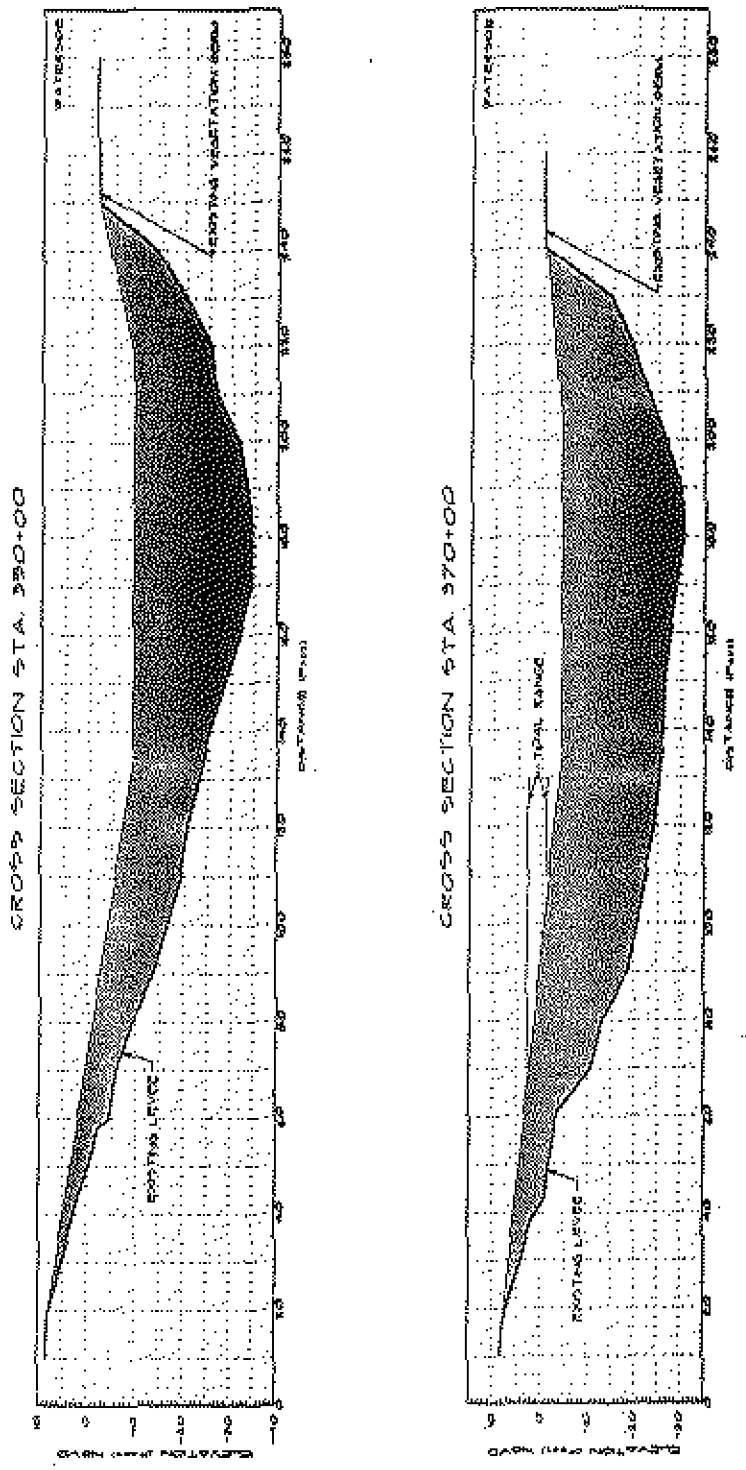
Date: July 1997

San Joaquin River Shallow Water Habitat Project

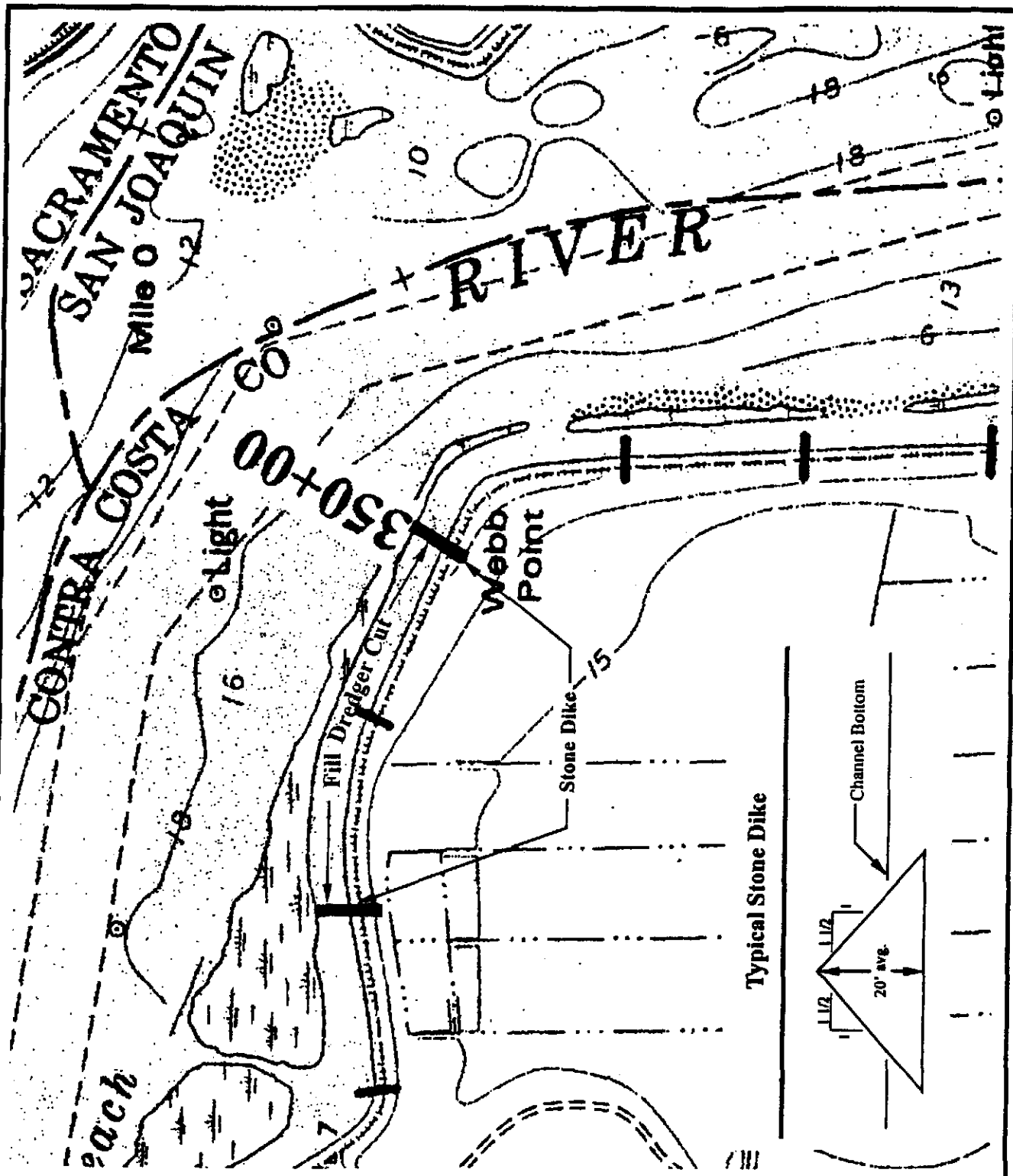
DATUM: NGVD
COUNTY: Contra Costa

Figure 2

I-006917



Typical Cross Sections Webb Tract San Joaquin River	APPLICANT: Reclamation District No. 2026 Webb Tract 3697 Mt. Diablo Boulevard, Ste. 100 Lafayette, California 94549 Date: July 1997	**San Joaquin River Shallow Water Habitat Project** DATUM: NGVD COUNTY: Contra Costa Figure 3
Murray Burns and Kienlen - Consulting Civil Engineers 1616 20th Street Ste 200, Sacramento CA 95814 - (916) 456-4000		



Limits of Project **Webb Tract** San Joaquin River	APPLICANT: **Reclamation District No. 2026** **Webb Tract** **3697 Mt. Diablo Boulevard, Ste. 100** **Lafayette, California 94549**	**San Joaquin River Shallow Water Habitat Project** DATUM: NGVD COUNTY: Contra Costa
MURRAY BURNS AND KIENLEN - Consulting Civil Engineers 1616 29th Street Ste 300, Sacramento CA 95816 - (916) 456-4400	Date: July 1997	Figure 4

Item 11

Agreement No. _____

Exhibit _____

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID FOR PUBLIC WORKS

STATE OF CALIFORNIA)

)ss

COUNTY OF CONTRA COSTA)

JOHN L. WINTHER (name), being first duly sworn, deposes and says that he or she is PRESIDENT (position title) of RECLAMATION DISTRICT NO. 2026 (the bidder)

the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

DATED: July 25, 1997 By John L. Winther
JOHN L. WINTHER (person signing for bidder)

KAY FESTERSEN
Commission #1066096
Notary Public — California
Contra Costa County
My Comm. Expires Feb 19,2000

(Notarial Seal)

Subscribed and sworn to before me on

July 25, 1997

Kay Festersen
(Notary Public)

Item 8

NONDISCRIMINATION COMPLIANCE STATEMENT

COMPANY NAME
RECLAMATION DISTRICT NO. 2026

The company named above (hereinafter referred to as "prospective contractor") hereby certifies, unless specifically exempted, compliance with Government Code Section 12990 (a-f) and California Code of Regulations, Title 2, Division 4, Chapter 5 in matters relating to reporting requirements and the development, implementation and maintenance of a Nondiscrimination Program. Prospective contractor agrees not to unlawfully discriminate, harass or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), medical condition (cancer), age, marital status, denial of family and medical care leave and denial of pregnancy disability leave.

CERTIFICATION

I, the official named below, hereby swear that I am duly authorized to legally bind the prospective contractor to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

OFFICIAL'S NAME
JOHN L. WINTHER

DATE EXECUTED
JULY 25, 1997

EXECUTED IN THE COUNTY OF
CONTRA COSTA

PROSPECTIVE CONTRACTOR'S SIGNATURE
John L Winther

PROSPECTIVE CONTRACTOR'S TITLE
PRESIDENT

PROSPECTIVE CONTRACTOR'S LEGAL BUSINESS NAME
RECLAMATION DISTRICT NO. 2026

F1-321

MURRAY, BURNS & KIENLEN

A Corporation
1616 29th Street, Suite 300
Sacramento, California 95816
Tel. (916) 456-4400
FAX (916) 456-0253

TRANSMITTAL MEMORANDUM

July 28, 1997

TO: CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, California 95814

JUL 28 1997

FROM: Gilbert Cosio, Jr.
Murray, Burns and Kienlen

**SUBJECT: Transmittal of 1997 Category III Proposal --
Reclamation District No. 2026 - San Joaquin River Shallow Water Habitat Project**

In accordance with specifications described in the "Request for Proposals, 1997 Category III, Ecosystem Restoration Projects and Programs", transmitted on behalf of Reclamation District No. 2026, are the enclosed ten (10) copies of their Proposal regarding the "**San Joaquin River Shallow Water Habitat Project**".

If you have any questions, or require additional information, please call me at (916)456-4400.

Sincerely,
MURRAY, BURNS & KIENLEN

BY: _____
Gilbert Cosio, Jr.

cc:
Reclamation District No. 2026
c/o Mr.Dave Forkel

7/28/97
2:32 PM

I-006922